

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES DISTRICT COURT  
ALBUQUERQUE, NEW MEXICO

JUL 31 2014

UNITED STATES OF AMERICA For  
The use of BROWN MINNEAPOLIS TANK CO.,

Plaintiff

**MATTHEW J. DYKMAN**  
CIVIL NO. 11-281-JB/LAM  
**CLERK**

v.

KINLEY CONSTRUCTION  
COMPANY, and

TRAVELERS CASUALTY AND SURETY  
COMPANY OF AMERICA,

Defendants

***CONSOLIDATED WITH***

KINLEY CONSTRUCTION  
COMPANY,

Plaintiff,

CIVIL NO. 11-705-JB/LAM

v.

BROWN MINNEAPOLIS TANK COMPANY

Defendant

**ORDER GRANTING JOINT MOTION TO DISMISS**

Came on for consideration the Joint Motion to Dismiss filed by BROWN-MINNEAPOLIS TANK COMPANY, KINLEY CONSTRUCTION COMPANY, TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA and CONTINENTAL CASUALTY COMPANY. Upon consideration of the agreement of the parties as set forth in the Joint Motion, the court finds that the relief requested is due.

Accordingly, it hereby is

**ORDERED** that the Joint Motion is GRANTED and that the above entitled and numbered cause be and the same is hereby finally dismissed with full prejudice to all of the rights of BROWN-MINNEAPOLIS TANK COMPANY against KINLEY CONSTRUCTION COMPANY and TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, full prejudice as to all of the rights of KINLEY CONSTRUCTION COMPANY against BROWN-MINNEAPOLIS TANK COMPANY, and full prejudice as to all of the rights of CONTINENTAL CASUALTY COMPANY against BROWN-MINNEAPOLIS TANK COMPANY, with each party to bear their own costs.



O. J. O'Brien  
UNITED STATES DISTRICT JUDGE